

penison/Sherman/At Texoma Event Cente 5015 South US 75 Denison, TX 75020 Phone: 903-416-8038 Fax: 903-463-3341 www.HGlGateway.com

BOOKING CONFIRMATION AGREEMENT

Friday, April 09, 2021

The information below and the agenda constitute a definite contract between Texas Workforce Commission and Hilton Garden Inn Denison/Sherman/At Texoma Event Center located at 5015 South US Hwy 75, 5015 South US Hwy 75, Denison, TX 75020

Organization:

Texas Workforce Commission

ARRIVAI

7/14/2022

Post As:

Texas Workforce Commission

Nicole Rozas

Contact: Address:

101 East 15th St., Rm 380

DEPARTURE

7/15/2022

Phone:

Austin, TX 78778

512-463-2429

GROUP CODE

Email:

Nicole.Rozas@twc.state.tx.us

TYPE

Government

GUEST ROOM ACCOMMODATIONS:

Hilton Garden Inn Denison/Sherman/At Texoma Event Center is currently reserving the following negotiating rate and room block for Texas Workforce Commission.

ROOM TYPE	RATE	7/15/2022
		Wednesday
King Bed	94.00	15
Queen/Queen	94.00	

Rates are quoted exclusive of state and local taxes, currently at 13% and subject to change without notice.

RESERVATION METHOD/CUT-OFF DATE:

It is our understanding that all reservations will be made by ROOMING LIST - Direct Billed.

Reservations are available to book at the negotiated rate until the **CUT-OFF DATE** of July 1, 2021. Reservations requested after this date will be on a space available basis and at the Hotel's best available rate at the time the request is received.

Please note that our check-in time begins at 4:00 p.m. and our check-out time is 12:00 p.m. Upon request, we will be happy to arrange for baggage storage for your attendees luggage until their respective room is available.

All reservations must be guaranteed by Texas Workforce Commission or to the individual guest's major credit card. Guaranteed reservations not cancelled by 6pm (CST) on the date prior to arrival will subsequently be billed one night's room and tax to each individual's guarantee method.

FUNCTION SPACE AGENDA:

Hilton Garden Inn Denison/Sherman/At Texoma Event Center is holding the meeting/banquet space as outlined below for Texas Workforce Commission.

DAY	DATE	START	END	FUNCTION	ROOM	SET	ATTD	SET UP FEE
Wednesday	7/14/2022	12:00 PM	6:00 PM	Set-up	Magnolia III & IV	Classroom	150	\$500,00
Thursday	7/15/2022	6:30 AM	5:00 PM	Meeting	Magnolia III & IV	Classroom	150	
Thursday	7/15/2022	8:00 AM	8:30 AM	Breakfast	Magnolia II	Rounds of 8	150	
Thursday	7/15/2022	12:00 PM	1:00 PM	Lunch	Magnolia II	Rounds of 8	150	

Room Rental/Set Up Fees: Room rental fees are determined upon original program details. Revisions from the original contract may necessitate a revision in room rental fees. Standard room rental for this event would be \$6,000.00 per day; however, based a minimum F&B purchase of Texas Workforce Commission 8,000.00++, standard room rental charges will be <u>REDUCE</u> to a one time set-up fee of \$500.00. If Texas Workforce Commission cannot meet the F&B minimum purchase, then any difference will be added to the master bill as room rental.

Food & Beverage: Because of market fluctuations, all prices are subject to change. Should our prices increase, written notification will be given. Outside food and beverage is prohibited and removal of any foods provided by the hotel is not permitted.

*ALL CATERED FOOD & BEVERAGE MUST BE PURCHASED THROUGH THE HOTEL DIRECTLY

Audio Visual: Hilton Garden Inn Denison/Sherman/At Texoma Event Center has a limited amount of AV equipment that may be rented. Equipment is based on availability and prices are exclusive of tax and service charge.

Tax & Service Charge: To ensure the events a properly staffed at Hilton Garden Inn Denison/Sherman/At Texoma Event Center, 23% service charge and 8.25% sales tax (subject to change without notice) will be added to all meeting related charges. Please note that the service charge is taxable.

Guaranteed Count: In order to provide for all attendees, a guaranteed count will be needed 3 business days in advance of the function. Unfortunately, this number may not be reduced. Should you be unable to provide us with a count, Hilton Garden Inn Denison/Sherman/At Texoma Event Center will refer to the originally contracted number and prepare accordingly. This will ensure the comfort of all in attendance.

Labor Charge: In the case on-site changes are requested, additional labor fees may be assessed.

Signage and Banners: Signs and banners are not permitted in the hotel lobby. In an effort to maintain appearances, the attachment of these items to function walls, floors, ceilings or curtains is also prohibited. Should these restrictions be of concern, please discuss them with your Hotel Sales Manager.

Shipping and Receiving: Following these guidelines will ensure prompt delivery of your packages. Always include arrival date, meeting date, and group contact. Parcels in excess of 10lbs are subject to a \$10/day Storage Fee. Please send boxes to:

Hilton Garden Inn
Denison/Sherman/At Texoma Event Center
5015 South US 75 Denison, TX 75020
Phone: 903-416-8038
Fax: 903-463-3341
ATTN: Texas Workforce Commission 7/14/2021

BILLING ARRANGEMENTS:

It is our understanding (unless otherwise notified prior to arrival) that

- . Sleeping room and tax will be added to the master account
- All meeting/banquet related charges will be added to your master account

M PARKING & TRANSPORTATION:

Hilton Garden Inn Denison/Sherman/At Texoma Event Center offers complimentary self-parking.

MPOSSIBILITY OF PERFORMANCE:

This contract will terminate without liability to either party if substantial performance of either party's obligation is prevented by an unforeseeable cause reasonably beyond that party's control. Such causes include, but are not limited to, acts of God; regulations, or order of governmental authorities; fire, flood, or explosion; war, disaster, civil disorder, strikes, lockouts, curtailment of transportation facilities, or threat thereof; or other emergency making it illegal or otherwise impossible to provide the facilities or the services to hold the meeting.

PROGRAM ALTERATION CONTINGENCY:

The pricing for your program has been negotiated based on the dates, number of guest rooms and function requirements, as specified in this agreement. If these requirements are changed, we reserve the right to renegotiate this agreement.

DISPUTES:

This agreement, and any dispute, which may arise hereunder, will be governed by the laws of the State of Texas. The venue of any such dispute shall be in the county where the Hotel is located.

ACCEPTANCE:

The entire staff at the Hotel sincerely appreciates the opportunity to serve Texas Workforce Commission. You can be assured of the effort of our entire staff and my personal attention to help make your program most enjoyable and successful.

The foregoing requirements are accurate to the best of our knowledge. If you will sign and return a copy of this contract, it will serve as our mutual understanding of the agreement. If we have not received a signed agreement by 3/26/2021, the Hotel has the right to reevaluate all terms and conditions of this Confirmation Agreement.

The contents of the forgoing agreement meet with my approval, and I consider all arrangements to be confirmed and definite.

Tom McCarty 4/22/2021

Tom McCarty, Director External Relations
Agent for: Texas Workforce Commission

Date

Tawnee Hammett

Agent for: Hilton Garden Inn Denison/Sherman/At Texoma Event Center

Texas Workforce Commission

A Member of Texas Workforce Solutions

Bryan Daniel, Chairman Commissioner Representing the Public

Julian Alvarez Commissioner Representing Labor

Aaron Demerson Commissioner Representing Employers

Edward Serna Executive Director

Attachment A to Contract

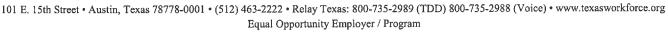
Hilton Garden Inn Denison/Sherman/At Texoma Event Center, Denison, Texas

And the Texas Workforce Commission

CANCELLATION POLICY

As a matter of state law the Texas Workforce Commission (TWC) cannot enter into any agreement which includes a cancellation and attrition policy charging or assessing a penalty for service not yet rendered. In order to work within those constraints, the cancellation and attrition policy provisions of this contract have been deleted.

TWC will inform Hilton Garden Inn Denison/Sherman/At Texoma Event Center, Denison, Texas immediately of our intent to cancel the subject event. It is further understood that TWC will not cancel this contract for the purpose of moving the subject event to another hotel or conference property.





Texas Workforce Commission

A Member of Texas Workforce Solutions

Bryan Daniel, Chairman Commissioner Representing the Public

Julian Alvarez Commissioner Representing Labor

Aaron Demerson Commissioner Representing Employers

Edward Serna Executive Director

Attachment B to Contract with
Hilton Garden Inn, Denison/Sherman/At Texoma Event Center, Denison,Texas
And the Texas Workforce Commission

As a matter of state law the Texas Workforce Commission cannot enter into a "hold harmless" agreement with a vendor, nor can we expend appropriated funds to secure the liability insurance. The law narrowly defines and limits those matters for which a state agency or employee may be liable and caps damages in a similar fashion. Further, under established case law <u>a public</u> official purporting to contract beyond those limits may be personally liable for damages incurred.

TWC has no discretion in this matter. We are involuntarily at risk to the extent dictated by the Tort Claims Act; conversely, we lack the authority to expand the scope of that risk.

In short, the Legislature has provided that agencies of the state be "self-insured" for certain purposes in certain amounts. We are liable to that extent; more we cannot do.

In this context the following is attached to the Contract between the Texas Workforce Commission and Hilton Garden Inn Denison/Sherman/At Texoma Event Center, Denison, Texas.

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ACKNOWLEDGMENT OF LIMITED LIABILITY

I hereby acknowledge that the Texas Workforce Commission as an agency of the State of Texas, is liable for the wrongful acts or omissions, or the negligent acts of its employees to the extent and for the amounts specified by tl

Edward Serna, Executive Director Texas Workforce Commission

101 E. 15th Street • Austin, Texas 78778-0001 • (512) 463-2222 • Relay Texas: 800-735-2989 (TDD) 800-735-2988 (Voice) • www.texasworkforce.org Equal Opportunity Employer / Program





Certificate Of Completion

Envelope Id: F9BF5A4345564686963311091B918C70

Subject: Please DocuSign: HiltonGarden_ShermanJuly2022.pdf

docSeqId: docType:

Source Envelope:

Document Pages: 5 Signatures: 1 Envelope Originator:

Certificate Pages: 4 Initials: 0 Nicole Rozas

AutoNav: Enabled

Envelopeld Stamping: Enabled

Time Zone: (UTC-06:00) Central Time (US & Canada)

Nicole Rozas
101 E. 15th Street, Room 0154-B

Status: Completed

nicole.rozas@twc.state.tx.us IP Address: 172.19.141.106

Record Tracking

Status: Original Holder: Nicole Rozas

4/22/2021 3:32:24 PM nicole.rozas@twc.state.tx.us

Location: DocuSign

Austin, TX 78778

Signer Events Tom McCarty Tom.mccarty@twc.state.tx.

Tom.mccarty@twc.state.tx.us
Director, External Relations Division

Security Level: Email, Account Authentication

(None)

Signature

Tom McCarty

Signature Adoption: Pre-selected Style Using IP Address: 107.77.222.8

Signed using mobile

Signature

Timestamp

Timestamp

Sent: 4/22/2021 3:34:07 PM Viewed: 4/22/2021 3:36:00 PM Signed: 4/22/2021 3:36:12 PM

Electronic Record and Signature Disclosure:

Accepted: 4/22/2021 3:36:00 PM

In Person Signer Events

ID: d08190dc-2187-4509-94d0-21ed04c3c9d4

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Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
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Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
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CONSUMER DISCLOSURE

From time to time, Carahsoft obo Texas Workforce Commission (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign, Inc. (DocuSign) electronic signing system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the $\hat{a} \in \mathbb{T}$ agree $\hat{a} \in \mathbb{T}$ button at the bottom of this document.

Getting paper copies

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Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign â€~Withdraw Consent' form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures

electronically from us.

How to contact Carahsoft obo Texas Workforce Commission:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: heather.hall@twc.state.tx.us

To advise Carahsoft obo Texas Workforce Commission of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at heather.hall@twc.state.tx.us and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address.. In addition, you must notify DocuSign, Inc. to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in the DocuSign system.

To request paper copies from Carahsoft obo Texas Workforce Commission

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to heather.hall@twc.state.tx.us and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Carahsoft obo Texas Workforce Commission

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may; ii. send us an e-mail to heather.hall@twc.state.tx.us and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows® 2000, Windows® XP, Windows
	Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer®
	6.0 or above (Windows only); Mozilla Firefox
	2.0 or above (Windows and Mac); Safariâ,,¢
	3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required
	to view and print PDF files
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookies

^{**} These minimum requirements are subject to change. If these requirements change, you will be asked to re-accept the disclosure. Pre-release (e.g. beta) versions of operating systems and browsers are not supported.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the â€⁻I agree' button below.

By checking the â€T agreeâ€TM box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC CONSUMER DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Carahsoft obo Texas Workforce Commission as described above, I
 consent to receive from exclusively through electronic means all notices, disclosures,
 authorizations, acknowledgements, and other documents that are required to be provided
 or made available to me by Carahsoft obo Texas Workforce Commission during the
 course of my relationship with you.